

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF DELAWARE

ELIZABETH TRAYNOR,	:	
	:	C.A. No. 06-441
Plaintiff,	:	
	:	
v.	:	TRIAL BY JURY
	:	REQUESTED
DAVY LIU d/b/a DAVY LIU STUDIO	:	
GALLERY,	:	
	:	
Defendant.	:	

DEFENDANT DAVY LIU'S RESPONSE TO PLAINTIFF'S MOTION TO STRIKE  
DEFENDANT'S REPLY BRIEF IN SUPPORT OF HIS MOTION FOR PROTECTIVE ORDER

Defendant Davy Liu (hereinafter "Defendant") opposes Plaintiff Elizabeth Traynor's (hereinafter "Plaintiff") Motion to Strike Defendant's Reply Brief in Support of his Motion for a Protective Order. In support thereof, Defendant states as follows:

1. Defendant filed his Motion for a Protective Order on April 5, 2007. To simplify and streamline the motion process, Defendant filed this Motion for a Protective Order without a brief. Defendant's Motion for a Protective Order constituted less than four pages.
2. On April 19, 2007, Plaintiff's litigation team filed a lengthy answering brief in response to Defendant's Motion for a Protective Order.
3. Given Plaintiff's extensive response brief, Defendant believed that a sufficient reply warranted a brief to address the factual discrepancies and legal issues raised in Plaintiff's lengthy response brief.
4. Defendant filed his Reply Brief on May 4, 2007. Defendant acknowledges that

the brief was not timely filed and apologizes to the Court and Plaintiff's counsel for any inconvenience.

5. This slight delay, however, was certainly not intended to thwart the efficiency of the litigation process, nor did it have that effect.

WHEREFORE, for the reasons stated above, Defendant respectfully requests that the Court deny Plaintiff's Motion to Strike Defendant's Reply Brief in Support of his Motion for a Protective Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen P. Casarino', is written over a horizontal line.

Stephen P. Casarino, Esq.

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I, SARAH C. BRANNAN, hereby certify that I have caused to be delivered by electronic filing, the 14th day of May, 2007, true and correct copies of the attached Response to Plaintiff's Motion to Strike Defendant's Reply Brief in Support of His Motion for Protective Order, addressed to:

Patricia Smink Rogowski, Esq.  
Connolly, Bove, Lodge & Hutz LLP  
1007 North Orange Street, The Nemours Building  
P.O. Box 2207  
Wilmington, DE 19899

CASARINO, CHRISTMAN & SHALK, P.A.

*/s/ Sarah C. Brannan*

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